

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA

Plaintiff,

V.

EES COKE BATTERY, LLC;
DTE ENERGY SERVICES, INC.;
DTE ENERGY RESOURCES, LLC; and
DTE ENERGY CO.

Defendants.

Case No. 2:22-cv-11191

Judge Gershwin A. Drain

Magistrate Judge Ivy

JOINT MOTION TO POSTPONE SUBMISSION OF PRETRIAL ORDER BY TWO WEEKS

The Court has set trial to begin July 7, 2025, with the final pretrial conference on June 23. *See* ECF No. 113. The Court ordered that motions *in limine* and the final pretrial order be submitted April 22, 2025. *Id.*

The Parties¹ jointly request that the Court move the deadline for motions *in limine* and the final pretrial order to May 6, 2025. This will allow the Parties more time to develop their pretrial order disclosures and work together to address objections if possible. The Parties believe this two-week extension need not affect the pretrial conference or trial date.

Dated: March 13, 2025

Respectfully submitted,

s/Thomas A. Benson

SASHA M. ALVARENGA (Fl. #1001722)
THOMAS A. BENSON (Mass. # 660308)
SAMANTHA M. RICCI (Cal. # 324517)
Environmental Enforcement Section
U.S. Department of Justice
P.O. Box 7611
Washington, D.C. 20044-7611
(202) 514-5261
thomas.benson@usdoj.gov

LOCAL COUNSEL:

KEVIN R. ERSKINE (P69120)
U.S. Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226
Email: kevin.erskine@usdoj.gov

s/Khalilah V. Spencer [by permission]

Molly K. McGinley
HONIGMAN LLP
155 North Wacker Dr. Suite 3100
Chicago, IL 60606-1734
T: 312-429-6032
mmcginley@honigman.com

S. Lee Johnson
Michael P. Hindelang
Khalilah V. Spencer
HONIGMAN LLP
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226-2506
T: 313-465-7432
sljohnson@honigman.com
mhindelang@honigman.com
kspencer@honigman.com

¹ Plaintiff-Intervenor Sierra Club joins in this request. The Parties have not heard from Plaintiff-Intervenor River Rouge on this proposal.